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3781
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#5/Election

Case 8384P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ::
NABIL ENRIQUE SALAMAN, et al. :: Confirmation No. 9701
Serial No. 09/745,702 ' :: Group Art Unit 3721
Filed December 21, 2000 :: Examiner T. K. Truong
For PORTABLE PACKAGING DEVICE AND METHOD FOR FORMING
INDIVIDUALLY PACKAGED ARTICLES

ELECTION IN RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT WITH
TRAVERSAL

Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

This is responsive to the Restriction Requirement dated August 23, 2002.

REMARKS

The Examiner states that the present application contains three distinct inventions. More specifically, the Examiner alleges that these three inventions are:

- I. Claims 1-11, drawn to a portable packaging device for individually packaging an article within a flexible tubular sheet;
- II. Claims 12-18, drawn to a method for manually forming a closes individually packaged article from a tubular sheet,
- III. Claims 19 and 20, drawn to an apparatus for forming a pleated layered pack of tubular sheet from a length of tubular sheet material.

APPLICANTS' RESTRICTION WITH TRAVERSE

In order to make a restriction in compliance with the M.P.E.P., Applicants restrict the present application to the first group, that is Claims 1-11.

Applicants respectfully traverse this restriction requirement. Applicants submit that the Examiner has not satisfied various requirements in the M.P.E.P. in rendering the restriction requirement. M.P.E.P. §808 provides that:

Every requirement to restrict has two aspects, (1) the reasons (as distinguished from the mere statement of conclusion) why the inventions as

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